

AF / JMW



PATENT

Attorney Docket 056707-5001-01

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: **Gregory M. Glenn et al.**) Confirmation No. **4303**
)
Application No. **10/790,715**) Group Art Unit: **1644**
)
Filed: **March 3, 2004**) Examiner: **Yunsoo Kim**
)
For: **Use of Penetration Enhancers and Barrier**)
Disruption Methods to Enhance the)
Transcutaneous Immune Response)

U.S. Patent and Trademark Office
Customer Service Window, Mail Stop AF
Randolph Building
401 Dulany Street
Alexandria, VA 22314

TRANSMITTAL FORM

1. Transmitted herewith is an Amendment Under 37 C.F.R. § 1.116 in response to the Final Office Action dated January 24, 2006.
2. Extension of Time: The proceedings herein are for a patent application and the provisions of 37 C.F.R. § 1.136(a) apply. Applicants do not believe an extension of time is required. However, if Applicants have inadvertently overlooked the need for an extension of time, please consider this a petition therefore. The Commissioner is hereby authorized to charge any additional fees which may be required, including fees due under 37 C.F.R. § 1.16 and § 1.17, or credit any overpayment to Deposit Account 50-0310.
3. Fee Calculation (37 C.F.R. § 1.16):

CLAIMS AS AMENDED						
	Remaining		Previously Paid	Extra	Rate	Total Fees
Total Claims	55	minus	56	0	\$50.00 each=	0.00
Independent Claims	3	minus	3	0	\$200.00 each=	0.00
First presentation of Multiple dependent claim					\$360.00	0.00
Sub-total =						0.00
Reduction by ½ for filing by a small entity						0.00
Total Fee =						\$0.00

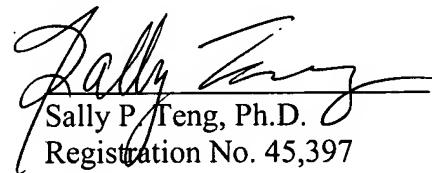
4. Additional Papers Submitted:
(i) Couch (2004) Nasal Vaccination, *Escherichia coli* Enterotoxin, and Bell's Palsy, N. Engl. J. Med. 350:860-861.

- (ii) Frech *et al.* (2005) Improved Immune Responses to Influenza Vaccination in the Elderly Using an Immunostimulant Patch, Vaccine 23:946-950.
- (iii) Mutsch *et al.* (2004) Use of the Inactivated Intranasal Influenza Vaccine and the Risk of Bell's Palsy in Switzerland, N. Engl. J. Med. 350:896-903.
- (iv) Wheater *et al.* (1979) Functional Histology, A Text and Colour Atlas, (Ed. Churchill Livingstone, Edinburgh, London and New York), select pages from chapters 4 and 8, pp. 49, 50-51, 54.

5. **Constructive Petition:** Except for issue fees payable under 37 C.F.R. § 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. § 1.16 and § 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account 50-0310. This paragraph is intended to be a **constructive petition for extension of time** in accordance with 37 C.F.R. § 1.136(a)(3).

Dated: **March 24, 2006**
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Respectfully submitted,
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AMENDMENT UNDER 37 C.F.R. § 1.116

This paper responds to the Final Office Action, dated January 24, 2006, time for response to which expires April 24, 2006.

Applicants respectfully request reconsideration of this application in view of the following amendment and remarks.

Please amend the above-identified application as follows:

Amendments to the Claims are reflected in the listing of claims which begins on page 2 of this paper.

Remarks/Arguments begin on page 11 of this paper.